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February 26, 2004

Mr. Jeff S. Jordan, Esq.  
Supervising Attorney  
Federal Election Commission  
Complaints Examinations & Legal Administration  
999 E Street, N.W.  
Washington, D.C. 20463  
Attention: Kim Stevenson

VIA FACSIMILE  
AND U.S. POSTAL SERVICE

Re: MUR 5409

Dear Mr. Jordan:

I write with respect to MUR 5409 and respondent's Ken Mehlman and David Herndon, treasurer of Bush-Cheney '04 Inc. For this MUR, I will be representing both Mr. Mehlman and Mr. Herndon. My office attempted to reach Ms. Stevenson by phone this afternoon and I understand that you are out of the office today.

While I understand that a response would be due on February 26, 2004, it has become clear to me that we will need additional time to properly respond to the complaint. In this regard, I would like to request that the date by which we must respond to MUR 5409 be extended to March 4, 2004. At that time, I intend to file a response and declaration of counsel from both David Herndon and Ken Mehlman.

Please do not hesitate to contact me at 703-647-2940 (telephone) or 703-647-2997 (fax) with your response to this request or with any questions or concerns.

Sincerely,

Thomas Josefiak

General Counsel

Bush-Cheney '04, Inc.

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